

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PCT UNITED STATES ELECTED OFFICE**

Atty. Docket: STOLTZ11A

In re Application of:)	Conf. No.:
Klas STOLTZ)	
)	Art Unit:
IA No.: PCT/SE02/00951)	
IA Filed: May 17, 2002)	Examiner:
)	
For: SAMPLING DEVICE AND)	Washington, D.C.
METHOD FOR OBTAINING)	
SAMPLES OF INTERNAL ...)	May 10, 2006

CONDITIONAL PETITION TO REVIVE UNDER 37 CFR 1.137(b)

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Randolph Building, Mail Stop Petitions
401 Dulany Street
Alexandria, VA 22314

Sir:

Applicant, through its undersigned attorney, hereby conditionally petitions for the revival of this international application for entry of this application into the U.S. National Phase under 35 U.S.C. §371. This petition is contingent on the ultimate denial of the Petition under 37 C.F.R. §1.182 filed on even date herewith with respect to application no. 10/697,943, requesting that said application be considered to be the timely filed national stage of the present international application. If the petition to convert application no. 10/687,943 to a national stage application is ultimately granted, then the above-identified international

application will not be considered to have been abandoned (it survives as the U.S. national stage application), and this petition becomes unnecessary and moot. **Accordingly, consideration of this petition and acceptance of the fees conditionally authorized to be paid herein are hereby expressly made contingent on the ultimate denial of said Petition under 37 C.F.R. §1.182 and this petition should be disregarded as moot if said Petition under 37 C.F.R. §1.182 is ultimately granted.**

If, and only if, the petition filed with respect to application no. 10/697,403 is denied, the present international application will be considered to have become abandoned for failure to enter the U.S. national phase of PCT/SE02/00951 by filing appropriate papers with the U.S. Designated Office within 30 months of the priority date, and this petition to revive becomes relevant.

Under 37 C.F.R. §1.137(b), a petition to revive an unintentionally abandoned application must be accompanied by (1) a statement that the delay in filing was unintentional, (2) a proposed response unless it has been previously filed, and (3) a fee in the amount of \$750.00 for a small entity. Applicant hereby claims small entity status for this application.

(1) Applicant, through undersigned counsel, hereby states that the entire delay in filing the papers necessary to perfect the completion of entry into the U.S. national phase of this case from the due date for entry into the U.S. national phase (November 17, 2003) until the filing of this grantable petition, was unintentional.

(2) Papers required for entering the U.S. national phase of this application are attached hereto. **The filing fees therein are also made contingent on the ultimate denial of the Petition under 37 C.F.R. §1.182 filed on even date herewith with respect to application no. 10/697,943.**

(3) The undersigned authorizes charge of the petition fee in the amount of \$750.00 as required by 37 C.F.R. §1.17(m) to Deposit Account No. 02-4035, **but only** in the event of the ultimate denial of the Petition under 37 C.F.R. §1.182 filed on even date herewith with respect to application no. 10/697,943, as discussed above. **Thus, authorization to charge this fee to said Deposit Account is expressly made contingent on said denial.**

It is believed that the granting of this petition and the revival of this application for entry into the U.S. national phase (subject to the conditions specified above) are in order. Such is respectfully requested.

Please charge any additional fees that may be necessary with respect to the revival of this application, or credit any overpayment, to Deposit Account No. 02-4035 of the undersigned.

Respectfully submitted,

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